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Telefax

**Boehringer
Ingelheim****Boehringer Ingelheim
Corporation**

TO: USPTO, Mail Stop Missing Parts
DATE: October 28, 2004
Fax Number: (703) 746-4060
Phone Number: (703) 308-1202
Total Number of pages: 9 (including cover sheet)
RE: **Response to Notice to File Missing Parts**
Serial Number: 10/840,037
Filing Date: May 6, 2004
Confirmation Number: 7763
First Inventor: Klaus Fuchs
Attorney Docket Number: 1/1497

Susan K. Pocchiari
Telephone (203) 798-5648
Telefax (203) 798-4408
E-Mail spocchia@rdg.boehringer-ingelheim.com

900 Ridgebury Rd/P.O. Box 368
Ridgefield, CT 06877-0368

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application which was mailed on August 17, 2004, please find transmitted herewith a Declaration for Utility or Design Patent Application (37 CFR 1.63) which has been executed by the originally-named applicants.

The surcharge set forth in 37 CFR 1.16(e) for submission of the declaration at this time is \$130.00. The Commissioner is hereby authorized to charge this and any other fee which may be required, and to credit any overpayment, to Deposit Account No. 02-2955. Triplicate copies of this paper are being transmitted herewith.

As requested, a copy of the Notice to File Missing Parts of Nonprovisional Application is also being transmitted.

It is hereby requested that the time for responding to the Notice To File Missing Parts of Application mailed on August 17, 2004, be extended pursuant to 37 CFR 1.136(a) for one month, so that the extended period for response will end on November 17, 2004.

The fee set in 37 CFR 1.17 for this extension of time is \$110.00. The Commissioner is hereby authorized to charge this and any other fee which may be required, and to credit any overpayment, to Deposit Account No. 02-2955. Triplicate copies of this paper are enclosed.

Respectfully Submitted,

Susan K. Pocchiari

Reg. No. 45,016

Certificate of Transmission under 37 CFR 1.8
I hereby certify that this correspondence is being
facsimile transmitted to the United States Patent
and Trademark Office on October 28, 2004

Susan K. Pocchiari, Reg. No. 45,016

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 United States Patent and Trademark Office
 Address COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/840,037	05/06/2004	Klaus Fuchs	1/1497

28501
 BOEHRINGER INGELHEIM CORPORATION
 900 RIDGEBURY ROAD
 P. O. BOX 388
 RIDGEFIELD, CT 06877

CONFIRMATION NO. 7763

FORMALITIES LETTER



OC000000013554781

Date Mailed: 08/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

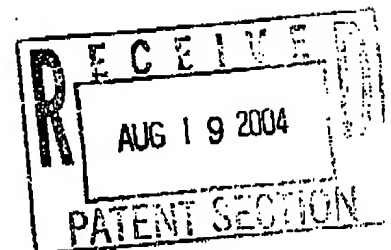
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450




*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE